UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/991,855	12/16/97	KII T	1083.1046/JD

LMC1/0430

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EXAMINER
POON, K

ART UNIT	PAPER NUMBER
2724	3

DATE MAILED: 04/30/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
08/991,855	Takahiro KII, et al.
Examiner	**Group Art Unit**
King Y. Poon	2724

☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-20* is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-20* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peter et al..

Regarding claim 1: Peter et al teaches a method and system to process (manage) electronic message and reply (see abstract) having a storage mean to store data for reply (see#102 of fig.13), a control mean to process the accepted output data from a local user (#1 of fig.1) for a reply (see column 8 line 48-55), and a transmission mean for automatically transmitted the data (survey document reply data)back to a collation mean. (See column 8 line 53) Even though Peter does not call the transmission mean an output mean, it would have been obvious to one of ordinary skill in the art to know that a transmission mean is an output mean because transmission mean is used to outputting data from one source to another.

Regarding claim 2: Peter et al teaches to use a collation mean to monitor (manage) a plurality of replies by identifying (specifying) the survey document and its data. (See column 8 line 63-68) Peter also teaches to add the reply data (see column 5 line 32-34) and to manipulate the data and do a graphic plot (see column 4 line 25-27). However, Peter does not use the word

totaling mean. It would have been obvious to one of ordinary skill in the art to know that by teaches to add is equivalent to a totaling mean because the function of a totaling mean is to add.

Regarding claim 3 and 4 : Peter teaches that the control means in claim 1 is used to accepting an input by the respondent user in reply to the survey message manage the reply data by constructing a data base for it. (See column 8 line 48-57)

Regarding claim 5: Peter teaches to use E-mail as a form of communication between local and a remote user. (See column 8 line 20-30) Peter doesn't specify that the data can be text, still picture, speech sound and moving picture. But it would have been obvious to one of ordinary skill in the art to know that those data can be a text, still picture, speech sound and moving picture because it is very common for E-mail users to send all those data through E-mail in communication and it would not make sense if Peter chooses not to use all of the capacity of E-mail.

Regarding claim 6: Peter teaches use the control mean to produce a response document and automatically transmitted back to a collation mean. The word "automatically" includes causing the output means to output data for if the control mean cannot cause the output mean to output data, there is no way data can be automatically transmitted back.

Regarding claim 7: Peter et al teaches a method and system to process (manage) electronic message and reply (see abstract) including a client apparatus (#1 of fig.1) and a server apparatus (#7 of fig.1) with the clients' apparatus having a storage mean to store data for reply (see column line 55-57), a control mean to process the accepted output data from a local user (#1

of fig.1) for a reply (see column 8 line 48-55), a transmission mean for automatically transmitted the data (survey document reply data)back to a collation mean. (See column 8 line 53) Even though Peter does not call the transmission mean an output mean or communication control mean, it would have been obvious to one of ordinary skill in the art to know that a transmission mean is an output and communication control mean because the transmission mean in Peter's invention is automatically outputting data (the reply) from the client to the server through a collation mean (See fig.13) and it is performing the same function as the output mean and the communication control mean.

Regarding claim 8: Peter teaches to accept a reply (response) to the survey message in the control mean (see column 8 line 51-52) and also teaches to manage reply from the client in the server by loading the data base with answers, so that the answers are all conveniently presented in a database.

Regarding claim 9: Peter teaches a method and system having a client and a server apparatus with the server apparatus having a storage mean to store data (# 102 of fig. 13) and a transmission mean for transmitting the survey document data. (See column 2 line 62). Peter also teaches to use the client's apparatus to receive data from the server, (see column 8 line 45-46) to output the data for reply in a screen (see #7 of fig.1), to use a control mean to process the accepted output data from a local user (#1 of fig.1) for a reply (see column 8 line 48-55), and to automatically transmitted the data (survey document reply data)back to a collation mean. (See column 8 line 53) Even though Peter does not call the transmission mean a communication

control mean, it would have been obvious to one of ordinary skill in the art to know that a transmission mean is a communication control mean because transmission mean is used to outputting data from one source to another and is doing the same function as the communication control mean in this claim.

Regarding claim 10: Peter teaches to use a control mean to manage the replies (response). (see column 8 line 50-55) in the client side and also teaches to receive replied data in the server side (see column 3 line 35-40) and store the result of the totaling mean (see discussion on claim 2) in a database (#102 of fig.13).

Regarding claim 11and 12: see discussion on claim # 8.

Regarding claim 13: See discussion on claim # 9 . In addition, Peter teaches that there could be more than one set of data for the client to reply (see column 5 line 55 -68) and the remote user can select any of those data to reply, store the data in a database, (see column 8 line 55-57) and transmit the selected reply to the server.

Regarding claim 14: Peter teaches to manage a plurity of replies by creating a data base in the server side (see column 4 line 24-27) for a new set of data based on the replies and to transmit the data back to the client (see column 4 line 30-45) and the client can manage a plurality of other data for reply and transmit back to the server. This process can go on for a few cycles according to Peter, and many new sets of data from the previous reply can be formed.

Regarding claim 15 and 16: see discussion on claim # 8.

Regarding claim 17-20: Peter teaches to use a recording medium readable by a computer to store the program code used for the execution of the method discussed in claim 1-16) (see column 10 line 30-35)

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

DAVID K. MOORE
SUPERVISORY PATENT EXAMINER
GROUP 2700

April 23, 1999